

October 4, 2013

Economic Affairs Interim Committee  
Montana State Legislature

Dear Committee Members:

I would like to address the review of the Board of Radiologic Technologists (BORT) that is being performed by your committee which is called for by House Bill No. 525 introduced by McNiven, Cook, O'Hara, Evans, Lavin, Ehli, O'Neil, and Welborn.

During the mid-1970's it was common for untrained individuals in doctor's offices and small clinics to be given a brief "this is how you do it" session by some other individual in the office for performing x-ray studies. At this time the radiologic technologists in Montana through their professional society, the Montana Society of Radiologic Technologists (MSRT), with the help of Larry Lloyd of the Radiologic Health Division of the Montana State Department of Health drafted a bill to require licensure of individuals who apply ionizing radiation in the form of x-rays to human patients. This bill was passed by the Montana Legislature because it was a step toward protecting the general public from excessive exposure to radiation.

Without this law and the establishment of the BORT, any untrained individual could perform x-ray procedures on patients in Montana. Under the provisions of this law, the BORT established some minimum education requirements for these individuals and a test to evaluate their competency related to radiation protection, patient positioning for various radiographic examinations, and selection of the exposure parameters necessary to produce an acceptable radiographic image. Individuals who wished to provide a training course for imaging were required to have the BORT review and approve their course prior to presentation. Upon passing the BORT examination the individual was issued a limited permit that allowed them to perform limited radiographic studies. Advanced imaging procedures were excluded from the scope of practice allowed for these individuals. Individuals who had completed formal radiography training in a program approved by the American Registry of Radiologic Technologists (ARRT) and passed the certification examination for radiography provided by the ARRT were issued a state license by the BORT.

The BORT was also given the duty to check for compliance with this law. Although it did not have the authority to enforce the law, they were able to verify the possession of a state issued limited permit or license for the individuals who were performing radiographic procedures in Montana. Violations that were found were reported to the local county attorney.

ECONOMIC AFFAIRS INTERIM  
COMMITTEE 2013-14

October 22, 2013

Exhibit No. 18

In the years since licensure was established, the BORT has expanded the requirements to obtain and maintain a limited permit for radiography to include a minimum of sixteen (16) hours of observation with a registered radiologic technologist prior to obtaining a permit and yearly completion of six hours of continuing education approved by the BORT after receiving their limited permit..

Formal training in radiologic technology is available in Montana through any of five (5) college-based radiography programs. These programs are located in Billings, Butte, Great Falls, Kalispell, and Missoula. Acceptance into these programs requires completion of a set of pre-requisite courses followed by selection into the clinical portion of the program. The enrollment in the clinical programs is limited by the availability of clinical sites at which the students acquire the valuable clinical experience necessary to perform radiographic procedures. To my knowledge most of the clinical programs are five semesters in length. While in the clinical program the students receive formal didactic instruction related to the various aspects of radiographic imaging including patient care, radiographic positioning, radiobiology/radiation protection, exposure selection, image evaluation, and radiation physics including x-ray circuitry. Following graduation from the clinical program the student is eligible to take a certification examination in radiography provided by the ARRT which is recognized throughout the U.S.

In Montana the majority of hospitals are small rural facilities with very limited resources. They may not be able to afford the salary that a registered technologist could make in a larger facility which might make it difficult for them to hire a fully trained individual. Even if they are able to afford to hire a registered technologist, the facility might have difficulty in recruiting someone to come to a small town with very little in the way of social activities for the individual to participate in. In many of these small facilities, the individual may be "on call" 24 hours a day. When they want to take a vacation, they may have to arrange for x-ray coverage while they are gone. For these small facilities it is much more feasible for them to have one or two individuals who are established in the community and already have some medical background, such as a laboratory technologist or nurse, attend a limited radiography course and then provide the radiography service when the need arises. X-ray imaging in these small rural facilities is usually limited to minor injuries caused by farm accidents or chest radiography following treatment for some type of infection. Any patients with major injuries or serious medical problems will usually be transferred to one of the larger facilities in the state where advanced treatment and imaging are available.

I have been a registered technologist and radiography instructor in Great Falls since 1973 and would like you to know that Montana was one of the first states to pass a licensure law to protect the public from exposure to excessive radiation. I would be more than happy to discuss this issue with you. You can contact me by phone at (406) 731-8419 (w) or (406) 761-1352 (h) or by e-mail at [thomasliston@benefis.org](mailto:thomasliston@benefis.org). Please do not undo this legislation which is necessary for the protection for the citizens of Montana.

Sincerely,

Thomas M. Liston, R.T. (R)

**Murdo, Patricia**

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**From:** Jackie Fears <  
**Sent:** Tuesday, October 15, 2013 3:42 PM  
**To:** Murdo, Patricia  
**Subject:** eliminating the Montana Board of Radiologic Technologists

The Montana Society of Radiologic Technologists believes dissolution of the board would affect patient safety adversely by repealing education and certification standards for medical imaging and radiation therapy personnel. Ultimately, this would reduce job opportunities and salary growth for radiologic technologists. Jackie Fears RT (R)

**Murdo, Patricia**

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**From:** Spangler, Vicky <  
**Sent:** Tuesday, October 15, 2013 2:28 PM  
**To:** Murdo, Patricia  
**Cc:** tom@tomberrymt.com; BruceTutvedt@gmail.com; Emarntzen@gmail.com; Moodys@cyberport.net; mnewbar@gmail.com; lynchryan@gmail.com; facey; lea.whitford@gmail.com  
**Subject:** House Bill # 525

Dear Pat Murdo,

I want it to be know that I would like keep the Montana Board of Radiologic Technologist active. I believe that if this is no longer in place it would affect patient safety. Dissolution of this board would adversely affect the education and certification standards for medical imaging and radiation therapy personnel. Please do not take a step backwards, we have all worked very hard at keeping the continuity of our profession to the highest standards that the State of Montana deserves. State licensure ensures that individuals performing medical imaging examinations and radiation therapy treatments meet educational and certification standards. Without this, those without the proper education, knowledge, skills and experience could replace qualified radiologic technologists and radiation therapists.

Thank you,  
Vicky R. Spangler RT R (M)  
Quality Control and Lead Technologist  
St James Healthcare  
Butte, MT

## **Murdo, Patricia**

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**From:** Hagenston, Kit <k. . . . . />  
**Sent:** Wednesday, October 16, 2013 9:41 AM  
**To:** Murdo, Patricia  
**Cc:** 'BruceTutvedt@gmail.com'; 'tom@tomberrymt.com'; 'Emarntzen@gmail.com';  
'Moody@cyberport.net'; 'mewbar@gmail.com'; 'lychryan@gmail.com';  
'facey\_tom@hotmail.com'; 'lea.whitford@gmail.com'; Nielsen, Mike  
**Subject:** House Bill 525

Ms. Pat Murdo and Economic Affairs Interim Committee Members,

I am a Registered Radiologic Technologist in the state of Montana and have practiced since 1970. I was opposed to Montana instituting Limited Licensure for Radiologic Technologists in the past. However, by having a Board of Radiologic Technologists, these individuals have been limited in their scope of practice and over site of what procedures they perform. This is critically important for the health and safety of the patients they do serve.

If the Board were to be eliminated, a free for all in radiologic sciences would negatively impact the quality of care without decreasing the costs to the patients. It is imperative to remember the real reason for qualified health care professionals is the provision of quality care to our patients.

In radiology under qualified personnel produce:

- inferior diagnostic exams resulting in missed or delayed diagnosis
- need for repeat exams and therefore increased radiation to the patients
- increased costs due to the need for duplicate exams
- potentially more advanced or difficult treatment due to delay of diagnosis
- loss of income to patients who are unable to work due to delay of treatment
- potentially fatal results from missed diagnosis due to poor quality imaging
- potential law suits.

It is important in the state of Montana to have the availability of decent paying jobs for qualified Radiologic Technologists. These individuals are qualified professionals who take great pride in providing quality care to the patients they serve. To allow under qualified individuals to perform the services in order to save a few dollars is NOT good business for anyone.

Please do NOT eliminate the Montana Board of Radiologic Technologists under House Bill No. 525.

Sincerely,  
Katherine F. Hagenston, RT CIT

## **Murdo, Patricia**

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**From:** Frankie Lyons <f...>  
**Sent:** Wednesday, October 16, 2013 10:42 AM  
**To:** Murdo, Patricia  
**Cc:** brucetutvedt@gmail.com; tom@tomberrymt.com; Emarntzen@gmail.com; moodys@cyberport.net; rnewbar@gmail.com; lynchryan@gmail.com; facey\_tom@hotmail.com; lea.whitford@gmail.com; Thomas Liston; Jerri Doyle, M.A., R.T.(R)(CT), MSRT Pres.  
**Subject:** Montana Board of Radiologic Technologists (R.T.)

Hello Ms. Murdo and Members of the Economic Affairs Interim Committee ,

I am contacting you regarding House Bill No. 525 which was introduced to allow the Economic Affairs Interim Committee of the Montana Legislature to review 17 professional and occupational licenses for necessity and public purpose. One of the license under review is the Montana Board of Radiologic Technologists. I support the position of the Montana Society of Radiologic Technologists and believe that dissolution of the board would affect patient safety adversely by repealing education and certification standards for medical imaging and radiation therapy personnel. Ultimately, this would reduce job opportunities and salary growth for radiologic technologists. I would like to see the Montana Board of Radiologic Technologists continue. It is a matter of public safety and state economic preservation.

Thank you for allowing me to voice my opinion. As an educator and leader in Health Science, I recognize the value of proper training and credentialing for RT's.

## Frankie

Frankie Lyons, R.T.,(R)(M),Ed.D.  
Health Science Division Director  
Radiologic Technology Program Director  
Great Falls College Montana State University  
2100 16<sup>th</sup> Avenue South  
Great Falls, MT 59405

[www.gfcmsu.edu](http://www.gfcmsu.edu)

## **Murdo, Patricia**

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**From:** Jo May <  
**Sent:** Tuesday, October 15, 2013 1:43 PM  
**To:** Murdo, Patricia  
**Subject:** licensure for the state of MT

Greetings Pat Murdo,

I am writing you to request that you inform The Economic Affairs Interim Committee of the Montana Legislature to NOT dissolve the board of Radiologic Technology. This would affect patient safety adversely by repealing education and certification standards for medical imaging and radiation therapy personnel.

I am a working radiation therapist and also have a license for radiologic technology. I attended two years of school to study radiologic technology as well as one year of school to study radiation therapy. I strongly support a licensure state as this assures that a qualified person is practicing in these two medical fields. I can assure you that you do not want someone turning on a linear accelerator to treat your cancer without the necessary training. It would be unsafe for every patient.

Please keep our population safe by requiring a license in the great state of Montana.

Thank you,

**Jo Ann May, BS, RT (R)(T)**  
*Radiation Oncology Supervisor*

Bozeman Deaconess Cancer Center  
931 Highland Boulevard, Suite 3130  
Bozeman, MT 59715

[www.bozemandeaconess.org](http://www.bozemandeaconess.org)



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10/21/2013

RE: State of Montana Laboratory Personnel Licensure

I write this letter in vehement objection to the continuation of the annual state licensure for laboratory personnel. The criteria for this state license is essentially national certification by a recognized certification agency, payment of a fee, and documentation of annual continuing education.

The main national ASCP, American Society for Clinical Pathology, certification now has a continuing education requirement for annual renewal.

The national trend for medical professionals is National Certification. Thirty seven states are satisfied with national certification. State certification serves California and Florida well because they have a large immigrant population of highly qualified medically trained immigrants who can meet the requirements for the state exam and licensure. Yes, most licensure states have a qualifying exam! When I questioned the purpose for the license at one of the early board meetings I was told it was to grandfather in all the present lab workers at the Scientist level, whatever their education because that was the equivalent of the work they were doing.

When I questioned the Continuing Education requirement, the response was "To leverage administrators to budget this and to encourage attendance at state meetings." Virtually all of these meetings take place in the western part of the state. If they are scheduled anywhere else it is "too far," yet we professionals practicing in true Eastern Montana are expected to make the effort to travel west. The Continuing Education year has finally been established as May 1 to April 30. Many of the acronyms in the statute and continuing education list were obsolete or inaccurate, although many have recently been corrected.

Almost half the "fee" is to cover the State of Montana computer.

HCFA, Healthcare Financing Administration, the Medicare and Medicaid reimbursement agency does not recognize the Montana license, but does recognize national certification.

Early in the history of Montana Licensure, losing the lawsuit regarding Nursing Personnel performing laboratory tests because laboratory testing is included in their "Scope of Practice" as stated in the RN license makes a mockery of the education and stringent Quality Control and Proficiency practices of a laboratory that meets the HCFA and state laboratory licensure requirements. Physicians assistants as testing personnel has not been addressed by the Montana laboratory Personnel license yet lab proficiency is implied in the Physician Assistant Scope of Practice.

Waived tests as listed by the Food and Drug Administration, FDA, continue to grow in number and serve a purpose in medical practice and improved patient care. The state personnel licensure law does not address this.

With the serious shortage of laboratory personnel in Montana, the minutes of the Clinical Laboratory Licensing board indicate that even the State Public Health Laboratories has chosen to hire individuals with science degrees, but not laboratory credentials.

These are many of the reasons I feel that the licensure is a mockery of my education, training, and experience and does absolutely nothing to enhance respect for my chosen profession or improve my performance as an ASCP Nationally Certified Medical Laboratory Scientist.

I would appreciate your serious consideration of retiring the Clinical Laboratory Scientist License.

Respectfully,

Suzanne Thomason, MT(ASCP)  
Box 264, Terry, MT 59349



## **Murdo, Patricia**

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**From:** Jason Barrett, RPA < >  
**Sent:** Wednesday, October 16, 2013 7:37 AM  
**To:** Murdo, Patricia  
**Cc:** Jason Barrett  
**Subject:** Montana Board of Radiologic Technologists

**Importance:** High

Hello Ms. Murdo,

My name is Jason Barrett and I am a dual credentialed RPA, RRA as well as credentialed as a radiologic technologist. I have recently learned that the Economic Affairs Interim Committee is considering cutting funding to occupational and professional boards such as the radiologic technology board. **I would like to formally submit my opposition** to Montana HB 525 as I feel that it would impact patients negatively in lowering standards of patient advocacy and safety.

As the President of the national society, Society of Radiology Physician Extenders, I represent 600+ radiology mid-levels across the country on issues state and federal. In addition to that position, I practice at Kalispell Regional Medical Center as a staff Radiology Practitioner Assistant. Currently, there is federal legislation pending in the US House of Representative, HR 1148 Medicare Access to Radiology Care Act, which would formally amend the social security act to recognize the state's authority to define supervision levels and scope of practice. Once passed, HR 1148 would look to individual states licensure and move away from the antiquated Medicare Physician Fee Schedule to define supervision levels for radiology mid-levels. Doing away with the Montana State Radiologic Technology licensure board would force another change either federally or on the state level, meaning an additional state licensure framework. Why not keep what is already working and comply with the already established standard of high quality in Montana radiology care.

I would like to also offer my personal experience as a practicing RPA and RT to testify in front of your committee if needed. Thank you for considering my view point and I hope to hear from you soon.

Respectfully,

Jason Barrett RPA, RRA  
Kalispell Regional Medical Center  
Northwest Imaging

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**Murdo, Patricia**

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**Subject:**

FW: Montana House Bill 525

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**From:** TI HODSON **Sent:** Monday, October 21, 2013 4:04 AM

**To:** Murdo, Patricia

**Subject:** Montana House Bill 525

Pat Murdo  
Legislative Services Division  
Helena, Montana

Dear Pat,

I have been made aware of Montana House Bill 525 which evaluates the necessity for existence of the Montana Board of Radiologic Technology.

As a Registered Radiologic Technologist I write asking you to consider the following when making your decision whether the Montana Board of Radiologic Technology is important and necessary towards the safety of our Montana public.

"My son fell and hurt his wrist"

Let's get an X-Ray and see what it looks like...

"My Mom's found a lump in her breast and our family has a history of breast cancer"

Let's start with a mammogram...

"I think my Grandpa had a stroke"

We'll get him right over to CT to see what's going on...

"They said Dad was having a heart attack"

We put in two stents which means no surgery...

Oh how often we the public trust the Physician when our loved one is in a health crisis and how often does that Physician (and we) trust that the procedure he's ordering is being performed by a competent health care giver. Did you know that the Radiologic Technologist is the 3rd largest category of healthcare professionals surpassed only by nurses and physicians?

Undisputedly, the use of X-rays in the medical field for the diagnosing and treatment of injury and sickness is of vital importance when it is used properly. When not, radiation sickness, mutations, cancer and even death may occur.

To ensure the safety of our public receiving any care involving the administration of X-rays, the profession of Registered Radiologic Technologist was created. That individual is class room and clinically educated by nationally set standards. They have passed the appropriate exam for their specialty and sub specialty as set by national standards. They meet necessary ethics requirements as set by national standards and they must prove of continuing education and ongoing compliance with national standards through annual recertification.

As you can see Radiologic Technology clearly is a specialized scope of practice identifiable and distinguished from the scope of practice of other medical professions and occupations. For the safety of the general public, it is absolutely necessary that only a qualified, registered and licensed Radiologic Technologist provide the necessary medical imaging and treatment on our Montana public. Licensure and the qualifications it stands for are necessary, justified, and imperative in this occupation.

That's where the Montana Board of Radiologic Technologists comes in. They protect the health, safety and well being of our Montana citizens by providing a number of services. They evaluate each request to practice X-Ray Technology and determine if that individual is fit to practice by ensuring that all their education and testing requirements are met prior to licensing. They alone issue licenses to competent X-ray professionals. They

regulate our practice to promote the delivery of quality health care and take appropriate action for unprofessional, incompetent, or unlawful practices by any Radiologic Technologist. They also protect our profession by taking appropriate action if finding any individual practicing Radiologic Technology without a license.

No need to tell you that we are in the midst of a rapidly changing health care environment with Medical Imaging and Radiation Therapy evolving at a rapid pace. Physician Providers require increased quality and safety in the diagnosis and treatment of their patients.

The Montana Board of Radiologic Technologists remains necessary for our Montana providers and public seeking assurance that their radiologic health care will be delivered safely and diagnostically.

Thank you for your time,

Ti Hodson RT(R) RCIS  
Billings, Montana 59105